



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE
March 15, 2005

NEWS MEDIA CONTACT:
Janice Wise: (202) 418-8165
janice.wise@fcc.gov

**Statement of Enforcement Bureau Chief David H. Solomon on Consent Decree
Approved by Administrative Law Judge in Hearing Case Regarding the
Telecommunications Relay Service Fund (EB Docket No. 02-149)**

The approval today by an FCC administrative law judge of a Consent Decree entered into by the Enforcement Bureau with Dr. Raanan Liebermann and the Publix Companies marks the successful conclusion of a hearing proceeding relating to whether Dr. Liebermann and Publix received monies from the Telecommunications Relay Service (TRS) fund under false pretenses. As part of the Consent Decree, Dr. Liebermann and Publix agreed to relinquish their authorization to operate as a common carrier and to reimburse the TRS Fund Administrator \$7.9 million. They also waived all claims to another \$2.3 million held in escrow for their benefit by the TRS Administrator.

After an investigation that uncovered significant evidence that Publix may have falsely requested and received monies from the TRS Fund, the Enforcement Bureau referred the matter to the Department of Justice. Dr. Liebermann and Publix Network Corporation both pled guilty to: (1) making a false statement to the FCC through the TRS Fund Administrator in violation of 18 U.S.C. § 1001; and (2) engaging in an unlawful monetary transaction, in violation of 18 U.S.C. § 1957. This Consent Decree resolves an Order to Show Cause and Notice of Opportunity for Hearing issued by the Commission to determine whether to revoke the common carrier authorization held by Dr. Liebermann and Publix.

By this Consent Decree and the criminal plea obtained by the Department of Justice, the Government has made clear that it will not countenance misuse of the TRS fund, which supports important telecommunications services to persons with disabilities.

-FCC-